

ADDENDUM TO THE FACT SHEET
FOR NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES)
PERMIT NO. WA0040801
March 2010

I. GENERAL INFORMATION

Facility: Icicle Acquisition Subsidiary LLC, DBA American Gold Seafoods
4019 21st Avenue West
Seattle, WA 98103

II. APPLICATION REVIEW

Icicle Acquisition Subsidiary LLC (Icicle) submitted an application to the Department of Ecology (Ecology) on March 6, 2009, for permit reissuance, and Ecology accepted it on March 10, 2009. Ecology has sufficiently reviewed the application, discharge monitoring reports, and other facility information. Ecology determines the following:

- Icicle has, for the most part, adhered to terms, conditions, requirements, and schedule of compliance of the expired permit, except for three incidents as referenced in Appendix B.
- Ecology has up-to date information on the facility's waste treatment practices, its production levels; and the nature, content, volume, and frequency of its discharge.
- The discharge meets applicable effluent standards and limits, water quality standards, and other legally applicable requirements.

III. PERMIT REAUTHORIZATION

When Ecology reauthorizes a discharge permit it essentially reissues the permit with the existing limits, terms and conditions. Alternatively, when Ecology renews a permit it re-evaluates the impact of the discharge on the receiving water which may lead to changes in the limits, terms and conditions of the permit.

This fact sheet addendum accompanies the permit, which Ecology proposes to reauthorize for the discharge of treated wastewater to Black River. The previous fact sheet explains the basis for the discharge limitations and conditions of the reauthorized permit and remains as part of the administrative record.

Ecology determined it does not need to change the existing permit requirements, including discharge limits and monitoring, to protect the receiving water quality. The previous fact sheet addressed conditions and issues at the facility at the time when Ecology issued the previous permit on January 19, 2000. Since the issuance of the previous permit, Ecology has not received any additional information which indicates that environmental impacts from the discharge warrant a complete renewal of the permit. The reauthorized permit is virtually identical to the previous permit issued on June 1, 2004, and modified on June 4, 2008.

Ecology reviewed inspections and assessed compliance of the facility's discharge with the terms and conditions in the previous permit and determined that it should not rank the facility as a high

priority for permit renewal. Ecology assigns a high priority for permit renewals in situations where water quality would benefit from a more stringent permit during the next five-year cycle.

The permit reauthorization process, along with the renewal of high priority permits, allows Ecology to reissue permits in a timely manner and minimize the number of active permits that have passed their expiration dates. For permit reissuance planning purposes, Ecology follows a system of ranking that considers the benefit gained by renewing a permit rather than reauthorizing a permit during its annual permit planning process. Ecology assesses each permit that is expiring and due for reissuance and compares it with other permits due for reissuance. Ecology notifies the public and seeks input after it has tentatively established the initial draft ranking of the permits it plans to renew and those it plans to reauthorize. Ecology considers all relevant comments and suggestions before it makes a final decision.

Ecology carried over the discharge limits and conditions in effect at the time of expiration of the previous permit to this reauthorized permit. Ecology only changed the submittal dates for reports from those in the previous permit. Ecology removed the completed report requirements that do not require additional or continued assessment. It adjusted the dates for the other standard compliance and submittal requirements that it carried over from the past permit into this reauthorized permit. Ecology considered these reports necessary in the previous permit and no information has come forward to cause it to reconsider.

Ecology must public notice the availability of the draft reauthorized permit at least 30 days before it reissues the permit [Washington Administrative Code (WAC) 173-220-050]. Ecology invites you to review and comment on its decision to reauthorize the permit (see Appendix A-Public Involvement for more detail on the Public Notice procedures).

After the public comment period has closed, Ecology will prepare a response to comments document that it will attach to this fact sheet addendum. The response to comments will include the resultant changes to the permit and either address each comment individually or summarize the substantive comments and respond. Ecology sends a copy of the response to comments to all parties who submitted comments. Ecology will include the response to comments in this fact sheet addendum.

IV. RECOMMENDATION FOR PERMIT ISSUANCE

Ecology proposes to reissue this permit for five years.

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

Ecology proposes to reissue a permit to **Icicle**. The permit includes wastewater discharge limits and other conditions. This fact sheet addendum describes the facility and Ecology's reasons for reauthorizing the permit conditions.

Ecology placed a Public Notice of Application on June 4, 2009, and June 12, 2009, in the *Olympian* to inform the public about the submitted application and to invite comment on the reissuance of this permit.

Ecology will place a Public Notice of Draft on [date](#) in the *Olympian* to inform the public and to invite comment on the proposed draft National Pollutant Discharge Elimination System permit and fact sheet addendum.

The Notice –

- Tells where copies of the draft Permit and Fact Sheet are available for public evaluation(a local public library, the closest Regional or Field Office, posted on our website.).
- Offers to provide the documents in an alternate format to accommodate special needs.
- Urges people to submit their comments, in writing, before the end of the Comment Period
- Tells how to request a public hearing of comments about the proposed NPDES Permit.
- Explains the next step(s) in the permitting process.

Ecology has published a document entitled Frequently Asked Questions about Effective Public Commenting which is available on our website at <http://www.ecy.wa.gov/biblio/0307023.html>.

You may obtain further information from Ecology by telephone, 360-407-6280, or by writing to the permit writer at the address listed below.

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

The primary author of this permit and fact sheet is Aziz Mahar, P.E.

APPENDIX B—Enforcement Activities Reports

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Enforcement Activities Reports						
Dept of Ecology		From : 01-OCT-04 Through: 30-DEC-09				
Section :	%	Facility Name : ICICLE ACQUISITION SUBSIDIARY LLC				
Enforc Type : %		Facility Size : %				
Facility	Issue Date	Docket#	Related Docket#	Due Dt	Response Recvd Dt	Action Dt
ICICLE ACQUISITION SUBSIDIARY LLC	01-NOV-06	INFORMAL ACTION, WARNING LETTERS Warning letter #9 - Did not submit November 2006 DMR.		N/A	N/A	01-NOV-06
	01-JUL-07			N/A	N/A	01-JUL-07
	01-JUL-08			N/A	N/A	01-JUL-08